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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/086,447

03/04/2002

Hideki Fukuda

2002-0328A

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EXAMINER

TEKLE, DANIEL T

ART UNIT

PAPER NUMBER

2621

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

12/19/2006

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/086,447

Applicant(s)

FUKUDA ET AL.

Examiner

Daniel Tekle

Art Unit

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 March 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 March 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
- 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
- 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 11/02/06; 04/19/02
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-16 are rejected under 35 U.S.C. 102(e) as being anticipated by
Kashiwagi et al (US 6393574).

Regarding claim 1: Kashiwagi et al. discloses a recording apparatus for recording a compressed stream that is obtained by compressively coding audio/video signals, on a recording medium, including: an encoder for compressively coding the audio/video signals and outputting a compressed stream (**column 9 lines 65-67 and column 10 lines 1-9**); a recording buffer memory for storing the compressed stream (**column 9 lines 15-42**); a recorder for recording the compressed stream stored in the recording buffer memory, on the recording medium (**column 10 lines 20-39**); and a system controller for controlling the respective units, encoder dividing a compressed stream of audio/video signals within a predetermined time range to form plural subunits and forming a main unit from a group of these sub-units to output the compressed stream as well as creating sub-unit attribute information concerning the sub-units, and system controller generating management information for each of the sub-units from the

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corresponding sub-unit attribute information, and inserting the management information in a predetermined position in the main unit, and recorder reading the compressed stream successively from the recording buffer memory when the sub-unit management information has been inserted into the main unit, and recording the read stream on the recording medium (**column 8 lines 56-67 and column 9 lines 1-14**).

Regarding claim 2: Kashiwagi et al. discloses a recording apparatus of claim 1 wherein the encoder compressively encodes the audio/video signals by a variable-rate controlled compression method (**column 2 lines 44-52**).

Regarding claim 3: Kashiwagi et al. discloses a recording apparatus of claim 1 wherein the maximum number of the main units constituting the compressed stream is defined as a predetermined value N (**column 22 lines 11-18**).

Regarding claim 4: Kashiwagi et al. discloses a recording apparatus of claim 3 wherein when the number of the main units constituting the compressed stream reaches the predetermined value N, the recording of the compressed stream is stopped (**column 42 lines 66-67 and column 43 lines 1-10**).

Regarding claim 5: Kashiwagi et al. discloses a recording apparatus of claim 1 wherein the system controller forms a main unit set from a group of the plural main units, and when the maximum value of the main units included in the main unit set is defined as a predetermined value n and the number of the main units constituting the compressed stream reaches the predetermined value n, the main unit set is formed from a group comprising the predetermined value n of the main units, then followed by starting formation of a next main unit set (**column 36 lines 14-31**).

Regarding claim 6: Kashiwagi et al. discloses a recording apparatus of claim 3 wherein a memory size of the recording buffer memory is defined by a recording capacity of the recording medium and the predetermined value N (**column 22 lines 44-52 and column 2 lines 22-29**).

Regarding claim 7: Kashiwagi et al. discloses a recording apparatus of claim 3 wherein a memory size of the recording buffer memory is defined by a size of data to be recorded and the predetermined value N (**column 22 lines 44-52**).

Regarding claim 8: Kashiwagi et al. discloses a recording apparatus of claim 1 wherein the encoder forms the main unit from the sub-unit group when a total data size of the sub-unit group becomes equal to or larger than a predetermined value M (**column 36 lines 14-31**).

Regarding claim 9: Kashiwagi et al. discloses a recording apparatus of claim 8 wherein the predetermined value M is defined by a memory size of the recording buffer memory (**column 8 lines 4-7 and column 24 lines 44-52**).

Regarding claim 10: Kashiwagi et al. discloses a recording apparatus of claim 8 wherein the maximum number of the main units constituting the compressed stream is set at a predetermined value N, and the predetermined value M is defined by a recording capacity of the recording medium and the predetermined value N (**column 2 lines 22-29 and column 29 lines 1-6**).

Regarding claim 11: Kashiwagi et al. discloses a recording apparatus of claim 8 wherein the maximum number of the main units constituting the compressed stream is

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set at a predetermined value N, and the predetermined value M is defined by a size of data to be recorded and the predetermined value N (**column 36 lines 14-31**).

Regarding claim 12: Kashiwagi et al. discloses a recording apparatus of claim 1 wherein the encoder detects at least one information among information concerning a data size of the sub-unit, information concerning a position of the sub-unit in the main unit, and information concerning a playback time of the sub-unit, as the sub-unit attribute information (**column 27 lines 45-54**).

Regarding claim 13: Kashiwagi et al. discloses a recording apparatus of claim 1 wherein the system controller inserts the sub-unit management information into the main unit so as to be placed at a head of each sub-unit (**column 36 lines 6-31**).

Regarding claim 14: Kashiwagi et al. discloses a recording apparatus of claim 1 comprising: a unit for issuing a recording stop command or a recording start command, system controller posting a coding stop instruction to the encoder when the recording stop command is issued, and encoder finishing forming the main unit when receiving the coding stop instruction, taking a sub-unit that is being formed at a time when the instruction is received as a last sub-unit (**column 73 lines 47-58**).

Regarding claim 15: Kashiwagi et al. discloses a recording apparatus of claim 1 comprising: a decision unit for deciding the type of the recording medium, and system controller selecting either inserting the sub-unit management information in a predetermined position in the main unit on the basis of a result of the decision by the decision unit, or controlling the recorder for recording the sub-unit management

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information in a sub-unit management area on the recording medium (**column 29 lines 1-6**).

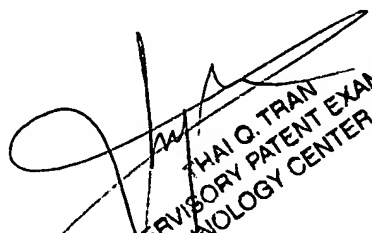
Regarding claim 16: Claim 16 is rejected for the same subject matter as claim 1-15.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel Tekle whose telephone number is 571-270-1117. The examiner can normally be reached on 7:30am to 5:00pm M-R and 7:30-4:00 Every other F..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on 571-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Daniel Tekle


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